AFFIDAVIT OF SERVICE

SUPREME COURT OF THE UNITED STATES

No. 26-438

----------X

JOSEPH MILLER, ET AL.,

Petitioners,

v.

JAMES V. MCDONALD, COMMISSIONER, NEW YORK STATE DEPARTMENT OF HEALTH, ET AL.,

Respondents.

----------X

STATE OF NEW YORK)

COUNTY OF NEW YORK)

I, Meissa Pickett, being duly sworn according to law and being over the age of 18, upon my oath depose and say that:

I am retained by Counsel of Record for *Amici Curiae.*

That on the 2nd day of November, 2026, I served the within *Brief of The Heritage Foundation and Young America's Foundation as Amici Curiae in Support of Petitioners* in the above-captioned matter upon:

Attorneys for Petitioners
Shannon Grammel Denmark
Counsel of Record
Lehotsky Cohn LLP
200 Massachusetts Avenue, NW,
Suite 700
Washington, DC 20001
shannon@lehotskycohn.com
Ph: (512) 693-8350
Party name: Joseph Miller, et al.

Attorneys for Respondents
Barbara Dale Underwood
Counsel of Record
New York Solicitor General
Office of the Attorney General
28 Liberty Street
New York, NY 10005-1400
barbara.underwood@ag.ny.gov
Ph: 212-416-8016
Party name: James McDonald, et al.

by sending three copies of same, addressed to each individual respectively, through FedEx Overnight Mail. An electronic version was also served by email to each individual.

That on the same date as above, I sent to this Court forty copies of the within *Brief of The Heritage Foundation and Young America's Foundation as Amici Curiae in Support of Petitioners* through the Overnight Next Day Federal Express, postage prepaid. In addition, the brief has been submitted through the Court's electronic filing system.

All parties required to be served have been served.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 2nd day of November, 2026.



Melissa Pickett

Sworn to and subscribed before me this 2nd day of November, 2026.



MARIANA BRAYLOVSKIY
Notary Public State of New York
No. 01BR6004935
Qualified in Richmond County
Commission Expires March 30, 2030
397286